

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

MORGAN PERRY, *et al.*,

Plaintiff,

Case No. 3:17-cv-161

vs.

KRIEGER BEARD
SERVICES LLC, *et al.*,

District Judge Thomas M. Rose
Magistrate Judge Michael J. Newman

Defendants.

ORDER AND ENTRY: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (DOC. 138); (2) GRANTING PLAINTIFF AUNSHAWN HENDERSON'S SECOND MOTION FOR DEFAULT JUDGMENT (DOC. 133); (3) DIRECTING THAT THE CLERK ENTER JUDGMENT AGAINST DEFENDANT KRIEGER BEARD SERVICES, LLC AS FOLLOWS: PLAINTIFF HENDERSON IS AWARDED \$39,280.00 IN DAMAGES AND PLAINTIFF'S COUNSEL IS AWARDED \$56,507.05 IN ATTORNEY'S FEES AND \$1,745.85 IN COSTS; AND (4) DIRECTING THE CLERK TO CLARIFY THAT PLAINTIFF HENDERSON'S CLAIMS (INITIALLY FILED IN CASE NO. 3:18-CV-006) ARE RESOLVED, AND THUS NO LONGER PART OF THIS LITIGATION

The Court has reviewed the Report and Recommendation of Magistrate Judge Michael J. Newman (Doc. #138), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendation (Doc. #138) is **ADOPTED** in full;
2. Plaintiff Aunshawn Henderson's second motion for default judgment (Doc. #133) is **GRANTED**;
3. The Clerk is directed to **ENTER** judgment against Defendant Krieger Beard Services, LLC as follows: Plaintiff Henderson is **AWARDED** \$39,280.00 in damages and Plaintiff's counsel is **AWARDED** \$56,507.05 in attorney's fees and \$1,745.85 in costs; and

4. The Clerk is directed to clarify that Plaintiff Henderson's claims (initially filed in Case No. 3:18-cv-006) are resolved, and thus no longer part of this litigation.

IT IS SO ORDERED.

Date: September 22, 2020

*s/Thomas M. Rose
Thomas M. Rose
United States District Judge